

WEINER LAW GROUP^{LLP}



629 Parsippany Road
Parsippany, New Jersey 07054
P (973) 403-1100 F (973) 403-0010
www.weiner.law

LAWRENCE M. BERKELEY
Partner

lmberkeley@weiner.law

September 16, 2022

Via Electronic Filing

Clerk, United States District Court
Martin Luther King Building
& U.S. Courthouse
50 Walnut Street, Room 4015
Newark, NJ 07101

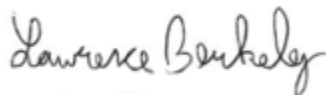
Re: Faragalla v. Costco Wholesale Corporation, et al.
Docket No. HUD-L-2738-22
Our File No.: COST-165

Dear Sir/Madam:

Enclosed please find Petition for Removal on behalf of Defendant, Costco Wholesale Corporation. Please file same. By copy of this letter, we are advising our adversary of this Petition.

Thank you for your courtesy in this regard.

Respectfully submitted,



LAWRENCE M. BERKELEY

Enclosures.

cc: Clerk, Superior Court of New Jersey, Hudson County (via electronic filing)
Craig J. Kobrin, Esq. (via electronic filing)

Weiner Law Group LLP

Lawrence M. Berkeley

Attorney ID No: 7706

629 Parsippany Road

Parsippany, New Jersey 07054

Telephone (973) 403-1100

LMBerkeley@weiner.law

Attorneys for **Defendant, Costco Wholesale Corporation**

Our File No. COST-165

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NOHAILA FARAGALLA

Plaintiff,

vs.

**COSTCO WHOLESALE CORP.; JOHN
DOE 1-10, ABC, INC. AND XYZ CORP.,
(said names being fictitious)**

Defendants.

CIVIL ACTION NO.:

PETITION FOR REMOVAL

Petitioner, Costco Wholesale Corporation, by its attorneys, Weiner Law Group LLP, respectfully petitions the United States District Court for the District of New Jersey as follows:

1. This case was commenced on August 18, 2022 in the Superior Court of New Jersey, Law Division, Hudson County. Suit is identified in the Superior Court as Faragalla v. Costco Wholesale Corporation, et al. Docket No. HUD-L-2738-22. (See Exhibit A).
2. Costco Wholesale Corporation first received a copy of the Complaint on August 30, 2022, when Plaintiff caused a copy to be served upon a Costco employee at the Costco Wholesale Corporation Warehouse in Bayonne, New Jersey. (See Exhibit B).
3. The filing of this Petition for Removal is timely because it is filed within thirty days of the date Costco Wholesale Corporation first received notice of the lawsuit.

4. Plaintiff's Complaint in the Superior Court of New Jersey, Law Division, Hudson County, asserts damages of a non-specified amount. Plaintiff alleges that as a result of an incident at the Costco warehouse located in Bayonne, New Jersey, Plaintiff sustained serious and permanent injuries. As such, Defendant Costco Wholesale Corporation believes the amount in controversy exceeds \$75,000, exclusive of interest and costs.

5. Costco Wholesale Corporation is informed and believes that Plaintiff is an individual citizen of the State of New Jersey.

6. Defendant/petitioner, Costco Wholesale Corporation, is a Washington corporation and its principal place of business is 999 Lake Drive, Issaquah, Washington 98027.

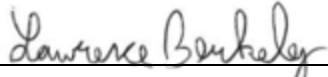
7. Therefore, complete diversity exists among the parties.

8. Accordingly, this action is removable to this Court pursuant to 28 U.S.C. § 1441.

WHEREFORE, Petitioner, Costco Wholesale Corporation, Defendant in the action described herein, which is currently pending in the Superior Court of the State of New Jersey, Law Division, Hudson County, Docket No. HUD-L-2738-22, prays that this action be removed therefrom to this Court.

WEINER LAW GROUP LLP
Attorney for Defendant, Costco Wholesale Corp.

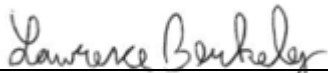
Dated: September 16, 2022

BY: 
LAWRENCE M. BERKELEY, ESQ.
(LMB-7706)

I certify that a true copy of the Complaint filed in the Superior Court of the State of New Jersey, County of Hudson, is annexed hereto as Exhibit A, and a copy of the Summons and Complaint that was served upon Defendant is attached hereto as Exhibit B.

WEINER LAW GROUP LLP
Attorney for Defendant, Costco Wholesale Corp.

Dated: September 16, 2022

BY: 
LAWRENCE M. BERKELEY, ESQ.
(LMB-7706)